



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, DC 20380-0001

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MARINE CORPS ORDER 12792.1

From: Commandant of the Marine Corps
To: Distribution List

Subj: DRUG-FREE WORKPLACE PROGRAM (DFWP) FOR CIVILIAN EMPLOYEES

Ref: (a) SECNAVINST 12792.3
(b) CPI 792-3
(c) The Department of Health and Human Services Manual
"Medical Review Officer; A Guide to Evaluating Urine
Drug Analysis"

Report Required: Drug-Free Workplace Statistics (Report Control
Symbol DN-12792-02), Par. 11

1. Purpose. To implement Department of the Navy policy on the
DFWP as set forth in references (a) and (b).

2. Policy. The U.S. Marine Corps will not tolerate the posses-
sion, use, or distribution of illegal drugs and is committed to
the eradication of them from the workplace. A drug free envi-
ronment is essential to mission accomplishment. The use of
illegal drugs, or unlawful use of prescription drugs, undermines
the quality of job performances, endangers the safety of others,
and brings discredit to the U.S. Marine Corps.

3. Background. Executive Order 12564 established a goal of
achieving a drug-free workplace and made it a condition of
employment for all federal employees to refrain from using illegal
drugs on or off duty. Reference (a) sets forth the Department of
the Navy (DON) policy and responsibilities for DFWP implementa-
tion. The Secretary of Health and Human Services has certified
the DON Drug-Free Workplace Plan as meeting the requirements of
Public Law 100-71.

4. Guidelines

a. The list of Department of the Navy testing designated
positions (TDP's) set forth in reference (b) will be used by
commands to identify and designate positions that will be subject
to random testing.

b. An employee found to use illegal drugs must be referred
to the Civilian Employee Assistance Program. Disciplinary action
will be initiated against any employee for the first instance of
illegal drug use. However, an employee who voluntarily seeks

treatment for illegal drug use and meets the "safe harbor" conditions set forth in reference (b) will not be subject to discipline for the admitted acts of illegal use, including possession incident to such personal use. "Safe harbor" will not be granted to drug dealers or those involved in other drug-related misconduct.

5. Responsibilities. Commanders will:

a. Appoint in writing a Drug Program Coordinator (DPC). The DPC may be either a civilian employee or military member. Due to the differences in the military and civilian drug testing programs, it is strongly recommended that the DPC be a civilian employee.

b. Establish a method for the review of TDP's to confirm that the actual duties performed meet the criteria and justification for designation as a TDP.

c. Issue a directive implementing the DFWP in conformance with references (a) and (b). The directive will include procedures for employees to volunteer for the random drug testing program.

d. Assure that funding is available to support the DFWP within their respective commands.

e. Ensure that prerequisite training is completed prior to assigning responsibilities to the DPC, Medical Review Officer (MRO), Collection Site Coordinator, and Collection Observer. It is not permissible to assign responsibilities on an interim basis pending completion of training.

6. Allocation of Quotas. The CMC (MPC-30) will allocate a specimen quota to each command. The quota will be applicable to the types of testing set forth in paragraph 7 of reference (b). Commanders will not implement initial testing until allotted quota. Quotas will be allotted initially by means of a Marine Corps bulletin and up-dated as required. Requests for additional quotas should be submitted to the CMC (MPC-30). Commanders should not exceed quotas without prior authorization. In emergency situations, requests can be made by telephone to the Marine Corps DFWP Manager, Autovon 224-5650.

7. Random Testing Procedures. Commanders are authorized to determine the frequency of random testing. The method to be used for random selection will be in compliance with appendix E of reference (b).

8. Collection and MRO Services

a. Collection site services may be provided in-house or

contracted out. The Collection Site Coordinator will be responsible for coordinating all collection activities including instructing and assisting individuals being tested, determining the temperature of the urine specimen, etc. The Collection Site Coordinator may be assisted by an observer(s) responsible for accompanying the person being tested while he or she is providing the specimen. Responsibilities and duties of the Collection Site Coordinator and Collection Observer are set forth in reference (b).

b. Collection Site Coordinator and Collection Observer services may be provided by Marine Corps or Navy Department personnel. As with the DPC, commanders are encouraged to assign these duties to civilian personnel whenever possible, to maintain the integrity of the separate programs. Except in special or emergency circumstances the DPC should not serve as the Collection Site Coordinator. If these services cannot be provided in-house they may be obtained through contract or from other Marine Corps commands in the commuting area. Commanders are authorized to utilize the Chief of Naval Operations collection services contract. If contracts are negotiated locally, they must conform to the technical specifications of Appendix C of reference (b).

c. If possible, commands should utilize the local DON medical facility for MRO services. MRO services may also be obtained by contract or servicing-type agreement with another federal agency. The Public Health Service will provide these services on a reimbursable basis. The MRO must be a physician with knowledge of substance abuse disorders. Reference (c) sets forth the role and responsibilities of the MRO in the DFWP. Civilian Personnel Offices and branch offices have been provided a copy of the manual. Additional copies are available upon request from the CMC (MPC-30).

d. If collection or MRO services are provided by contract, all costs will be borne by the local command.

9. Additions/Deletions to the TDP List. All requests for additions and/or deletions to the TDP list will be submitted to CMC (MPC-30). Requests which are not properly justified or fail to meet the selection criteria set forth in Appendix F of reference (b) will be returned for proper justification or denied. Properly justified requests will be forwarded to the Secretary of the Navy for approval.

10. Bargaining Obligation. Any impact and implementation bargaining obligation must be satisfied as required by 5 U.S.C. Chapter 71 before implementing the DFWP for positions in exclusively recognized bargaining units. The CMC (MPL) has the responsibility for discharging the bargaining obligation for positions within the consolidated bargaining unit.

11. Reporting Requirements. All reports required by reference (b) will be submitted to CMC (MPC-30). Reports will be required on a semi-annual basis for the 6 month periods ending in September and March each year. Commanders will be advised by CMC (MPC-30) of reporting due dates. Report Control Symbol DN-12792-02 is assigned to this reporting requirement.

12. Records Retention. Records and reports generated as a result of implementing this Order will be retained for a period of 3 years and destroyed. Reference (b) contains additional guidance on retention and disposition of records relating to the DFWP.

13. Action. Commanders will implement the DFWP per the provisions of the references and the Order immediately upon receipt.



N. H. SMITH
Deputy Chief of Staff
for Manpower and
Reserve Affairs

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